

(k) of this section, including the production of a net NO_x benefit under paragraph (k)(3)(ii) of this section, except that the following provisions shall apply:

(A) For any cumulative NO_x deficit remaining at the expiration of the fifth year, based on the NO_x emission performance of gasoline actually produced at the refinery, and as calculated under paragraph (k)(3)(ii) of this section, the refiner shall provide an additional NO_x benefit equal to one half ton of NO_x emissions per ton of deficit remaining by the end of the refinery's alternative anti-dumping averaging period.

(B) For any cumulative NO_x deficit remaining at the expiration of the sixth year, based on the NO_x emission performance of gasoline actually produced at the refinery, and as calculated under paragraph (k)(3)(ii) of this section, the refiner shall provide an additional NO_x benefit equal to one ton of NO_x emissions per ton of deficit remaining by the end of the refinery's alternative anti-dumping averaging period.

(C) The additional NO_x benefits required under this paragraph (l)(6)(ii) of this section may come from the production of gasoline at the refinery that is cleaner than the statutory baseline or from the purchase and retirement of stationary source NO_x credits or allowances as provided in paragraph (k)(3)(iii) of this section.

[59 FR 7860, Feb. 16, 1994, as amended at 59 FR 36968, July 20, 1994; 60 FR 40008, Aug. 4, 1995; 62 FR 9884, Mar. 4, 1997; 62 FR 68207, Dec. 31, 1997; 64 FR 30910, June 9, 1999; 64 FR 37689, July 13, 1999; 65 FR 54431, Sept. 8, 2000; 66 FR 67107, Dec. 28, 2001; 67 FR 8738, Feb. 26, 2002; 68 FR 24307, May 6, 2003; 70 FR 74572, Dec. 15, 2005; 72 FR 8543, Feb. 26, 2007; 72 FR 60580, Oct. 25, 2007]

§ 80.102 [Reserved]

§ 80.103 Registration of refiners and importers.

Any refiner or importer of conventional gasoline must register with the Administrator in accordance with the provisions specified at § 80.76.

§ 80.104 Recordkeeping requirements.

Any parties in the gasoline distribution network shall maintain records

containing the information as required by this section.

(a) For any refiner or importer, beginning in 1995, for each averaging period:

(1) Documents containing the information specified in paragraph (a)(2) of this section shall be obtained for:

(i) Each batch of conventional gasoline; and

(ii) Each batch of blendstock received in the case of any refiner that determines compliance on the basis of blendstocks properties under § 80.101(g)(3).

(2)(i) The results of tests performed in accordance with § 80.101(i);

(ii) The volume of the batch;

(iii) The batch number;

(iv) The date of production, importation or receipt;

(v) The designation regarding whether the batch is summer or winter gasoline;

(vi) The product transfer documents for any conventional gasoline produced or imported;

(vii) The product transfer documents for any conventional gasoline received;

(viii) For any gasoline blendstocks received by or transferred from a refiner or importer, documents that reflect:

(A) The identification of the product;

(B) The date the product was transferred; and

(C) The volume of product;

(ix) [Reserved]

(x) In the case of oxygenate that is added by a person other than the refiner or importer under § 80.101(d)(4)(ii)(B), documents that support the volume of oxygenate claimed by the refiner or importer, including the contract with the oxygenate blender and records relating to the audits, sampling and testing, and inspections of the oxygenate blender operation.

(xi) In the case of blendstocks that are included in refinery compliance calculations using the procedures under § 80.101(g)(3), documents that reflect the volume of blendstock and the volume of gasoline with which the blendstock is blended.

(xii) In the case of gasoline classified as previously certified gasoline under the terms of § 80.101(g)(9), the results of the tests to determine the properties